

US EPA RECORDS CENTER REGION 5



467726

NOV 27 1995

HSE-5J

Ms. Ann Bailey  
Proctor and Gamble  
Legal Division  
1 Proctor and Gamble Plaza  
Cincinnati, Ohio 45201

Re: Laidlaw Avenue Landfill

Dear Ms. Bailey:

On May 10, 1995, our contractor performed an inspection at your facility. Enclosed please find the Site Assessment Report recently completed for Laidlaw Avenue Landfill. The assessment process is to determine whether hazardous substances are being release to the environment, and to determine if specific targets have been impacted.

At this time a "No Further Remedial Action Planned" (NFRAP) designation has been assigned to the site. The NFRAP decision does not mean there is no hazard associated with the given property; it means only that based on available information at this time of the evaluation, the United States Environmental Protection Agency (USEPA) decided not to take further action under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). If information becomes available indicating the NFRAP decision should be reconsidered, the NFRAP site can be put back onto the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database list and further assessments done on the site. For further explanation, we have provide a copy of the USEPA Fact Sheet and Federal Register Notice which contains additional background information.

In spite of the USEPA's site disposition decision there may still be a need for you to further assess and clean up the site. A voluntary clean-up plan can be developed with the assistance of environmental consultants and the Ohio Environmental Protection Agency (OEPA). The OEPA contact can assist you in developing the plan to ensure that the assessment and clean-up strategies address Federal, State and local regulations. Working closely with the OEPA voluntary program staff could significantly reduce the potential for later Federal government involvement. The contact at the OEPA, is Jenifer Kawasniewski, OEPA, 1800 WaterMark Drive, Columbus, Ohio 43266.

*JS*  
11/27/95

I hope that this information will address any of your concerns.  
If you have any additional questions, please contact Jeanne  
Griffin, of the USEPA, at (312) 886-3007.

Thank you for your cooperation.

Sincerely yours,

Frank Rollins, Chief  
Response Section #3  
Emergency Response Branch

Enclosures

## PROPERTY RISK AND THE CERCLIS DATABASE

This fact sheet was created by the United States Environmental Protection Agency (U.S. EPA), Region 5 to assist prospective purchasers, financiers and insurance agents in assessing their risk when purchasing or insuring property that is currently in the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database or in the No Further Remedial Action Planned (NFRAP) archived list. The information contained herein attempts to dispel inaccurate assessments of the legal and regulatory consequences of being on either of these two lists.

Under the statutory requirements of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund), every site which is reported to U.S. EPA as a potential hazardous waste site must be listed in CERCLIS - regardless of it's actual condition - and must go through a site assessment process. CERCLIS is a list of potential and confirmed hazardous waste sites at which the U.S. EPA Superfund program has some involvement. CERCLIS contains sites which are either proposed for, or on the National Priorities List (NPL), sites which are in the screening and assessment phase for possible inclusion on the NPL, and those undergoing an emergency response or removal action.

Once a site has been listed in CERCLIS, U.S. EPA requires a Preliminary Assessment (PA) which determines those sites that pose no threat to human health or the environment, and identifies sites which have potential environmental problems which would warrant further U.S. EPA involvement. Screening Site Inspections (SSIs) are then performed on this latter category of sites to determine conditions by sampling and additional data collection. If the PA shows that there is no threat to human health or the environment, no further assessment work is done. At any point after a PA or SSI, a site may receive a NFRAP designation. NFRAP means that U.S. EPA has completed its assessment of the site and has determined that no further steps will be taken to list the site on the (NPL). Further evaluation of the site may be taken if new information indicates that the NFRAP decision was not appropriate. The majority of sites in the CERCLIS database receive a NFRAP designation.

Sites that are found through the PA and SSI to require remedial or removal actions to protect human health or the environment, will not be given a NFRAP designation but may be considered for possible NPL status leading to remedial action under CERCLA.

As of February 15, 1995, CERCLIS no longer includes sites which EPA has assessed and designated NFRAP and have no pending federal removal actions.

A NFRAP designation means, to the best of the U.S. EPA's knowledge, Superfund has completed its assessment at a site, and has determined that no further steps to list this site on the NPL will be taken unless information indicating this decision was not appropriate or other considerations make a recommendation for listing appropriate at a later time. A NFRAP decision does not necessarily mean that there is no hazard associated with a given site; it means only that based upon available information, the location is not judged to be a potential NPL site.

Historically, even sites U.S. EPA classified as NFRAP were maintained in CERCLIS to document the evaluations that took place at these sites, and to preclude the possibility that they would be needlessly repeated in the future. This policy led to unintended barriers to the redevelopment of these properties and U.S. EPA decided to remove these sites from CERCLIS. NFRAP sites are archived as historical records so U.S. EPA does not needlessly repeat the investigations in the future. These NFRAP sites are being reviewed by U.S. EPA and the States in which they are located. The States will coordinate with U.S. EPA to determine if any sites should be returned to CERCLIS because of newly identified contamination problems at the site. Note that a site will not be archived, however, even if the PA or SI have a NFRAP decision, until any and all federal removal actions and cost recovery actions are complete.

It is important to note that the sites in CERCLIS and the NFRAP archived list will change as the sites are being investigated or if new information becomes available.

**How should the CERCLIS database be read in order to correctly interpret the data?**

The "Event Type" section tells the reader about different assessments performed on a site and their corresponding dates. Under Event Type, the entry "DS" reveals when a site was discovered; "PA" when a preliminary assessment was completed; and "SI" when a site inspection was completed.

Therefore, if a site shows a DS1, PA1, SI1 and a NFRAP designation, this means that the site received a preliminary assessment and site inspection after discovery and that based upon the results of the PA and SI, no further remedial action was planned. There may, however, be pending federal removal or cost recovery actions at a site.

**What does CERCLIS listing mean to potential purchasers, lenders and insurers?**

A CERCLIS listing does not necessarily mean that a site is heavily contaminated or contaminated at all. Sites are entered into CERCLIS because they have been reported to U.S. EPA as appearing to pose a threat of hazardous substance release and therefore require further federal investigation. The PA and/or SSI are conducted to confirm, before appropriate action can be taken, whether or not contamination is present and, if so, who may be affected by this contamination.

**What does it mean to potential purchasers, lenders and insurers that a site is on the NFRAP archived list?**

The fact that a site is on the NFRAP archived list does not bestow a clean bill of health on a site; it means that U.S. EPA, based upon its Hazard Ranking System (HRS), has determined that the site is not a potential candidate for listing on the NPL and that any federal removal actions/cost recovery actions are complete. NFRAP archived sites may be reexamined later if warranted, and additional federal steps may be taken at the site if subsequent information indicates that further assessment is needed.

File information for NFRAP archived sites is provided to the State, and other regulatory authorities, all of whom have the ability to take separate actions under their own statutes.

**What should potential or actual property owners do to lessen their risk?**

Because a site on the NFRAP archived list does not necessarily have a clean bill of health and still allows for enforcement actions under other statutes and by state and local governments, it is still necessary for site owners to evaluate the need for cleanup at their site.

Potential owners of sites on the NFRAP archived list should develop and implement their own site assessment and, if necessary, remediation/removal plans using a qualified environmental consultant. They can also use site assessment data gathered through the PA/SSI process to help determine their potential risk. Owners should work closely with state and local government in developing their plans to ensure that the assessment and clean-up strategies address federal, state and local concerns about threats of hazardous substance releases. U.S. EPA encourages site owners to consult with state programs

that have responsibility over voluntary cleanups. In this way, site owners can undertake appropriate cleanup on a voluntary basis. By working with state voluntary cleanup programs, property owners can significantly reduce the potential for later federal involvement.

The state contacts for voluntary cleanup activities are as follows:

**Illinois**

Bob O'Hare  
Illinois EPA  
2200 Churchill Road  
Springfield, IL 62794-9276  
#217-782-6760

**Michigan**

George Carpenter  
Michigan Dept. of Natural Resources  
Knapp Office Center  
300 S. Washington Square  
Lansing, MI 48909  
#517-373-4811

**Ohio**

Jenifer Kwasniewski  
Ohio EPA  
1800 WaterMark Drive  
Columbus, Ohio 43266  
#614-644-2322

**Indiana**

Carla Gill  
Indiana Dept. of  
Environmental Mgmt.  
100 N. Senate St.  
Room N-1255  
Indianapolis, IN  
46204  
#317-232-0056

**Wisconsin**

Robert Amerson  
Wisconsin Dept. of  
Natural Resources  
101 S. Webster  
P.O. Box 7921  
Madison, WI 53707-7921  
#608-267-7569

**Minnesota**

Ken Haberman  
MN Pollution Control  
Agency  
520 Lafayette Road  
St. Paul, MN 55155-  
4194  
#612-296-0892

If you have any further questions on federal policy matters as they relate to CERCLIS NFRAPed sites, please contact the Emergency Response Sections at:

U.S. EPA Region 5  
Mailcode HSE-5J  
77 W. Jackson Boulevard  
Chicago, IL 60604-3590

To obtain paper or diskette copies of the NFRAP archived List, contact the National Technical Information Service (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. For telephone orders or further information on placing an order, call NTIS at (703) 487-4650 for regular service or (800) 533-NTIS for rush service. To access this document electronically for ordering or downloading via FedWorld, dial (703) 321-8020 with a modem or Telenet fedworld.gov. For technical assistance to access Fed World, call (703) 487-4608.